

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Gorenstein, et al.

Serial No.: 09/425,804

Filing Date: October 25, 1999

Examiner: Zitomer, Stephanie W.

Group No.: 1634

For: THIO-MODIFIED APTAMER SYNTHETIC METHODS AND COMPOSITIONS

**CERTIFICATE OF MAILING**

Date of Deposit: August 7, 2003

I hereby certify that the papers listed below and attached hereto are being deposited with the United States Postal Service via First Class Mail, with sufficient postage, under 37 C.F.R. § 1.8 on the date indicated above and addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

As listed on the accompanying form PTO-1449, submitted herewith are copies of the indicated references which Applicant believes may be material to the examination of the above-identified application, and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Further, the filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Written notification that the enclosed references have been considered in their entirety by return of a copy of the enclosed form, completed by the Examiner, is respectfully requested.

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- ☐ [ ] This Information Disclosure Statement is being filed within three months of the filing date of the national application.
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**STATEMENT FOR INFORMATION DISCLOSURE STATEMENT 37 CFR § 1.97(e)**

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I, the person(s) signing below hereby states that:


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- ☐ Attached is a check in the amount of \$ \_\_\_\_\_
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- ☒ Applicants believe no additional fees are due for the filing of this IDS.

Respectfully submitted,

CHALKER FLORES, LLP



Edwin Flores  
Registration No. 38,453  
Attorneys for Applicants

Dated: August 7, 2003

Chalker Flores, LLP  
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STATEMENT BY APPLICANT**

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Sheet 1 of 4**Complete if Known**

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|----------------------|-----------------------|
| Application Number   | 09/425,804            |
| Filing Date          | October 25, 1999      |
| First Named Inventor | Gorenstein, et al.    |
| Art Unit             | 1634                  |
| Examiner Name        | Zitomer, Stephanie W. |
| Attorney Docket No.  | UTMB:1001             |

**U.S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No. 1 | Document Number Number-Kind Code <sup>2</sup> (if any) | Publication Date MM-DD-YYYY | Names of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|------------|--|-----------------------------|--|---|
|                    |            | US-5,660,985 A   | August 26, 1997             | KIRSCHENHEUTER, GARY P., et al.)                 | Entire Document   |
|                    |            | US-  |                             |  |   |
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**FOREIGN PATENT DOCUMENTS**

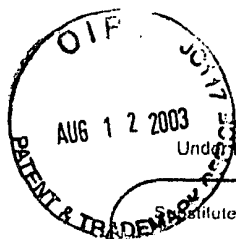
| Examiner Initials* | Cite No. 1 | Foreign Patent Document | Publication Date MM-DD-YYYY | Names of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant | T <sup>6</sup> |
|--------------------|------------|-------------------------|-----------------------------|--|--|----------------|
|                    |            | WO 92 14842 A           | September 3, 1992           | GILEAD SCIENCES, INC.                            | Claims 1, 11   |                |
|                    |            | WO 93 08296 A           | April 29, 1993              | ISIS PHARMACEUTICALS, INC.                       | Claims 14, 26  |                |
|                    |            | WO 96 19572 A           | June 27, 1996               | HYBRIDON, INC; TANG JINYAN (US); ROSKEY          | Entire Document  |                |

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| Art Unit             | 1634.00               |
| Examiner Name        | Zitomer, Stephanie W. |
| Attorney Docket No.  | UTMB:1001             |

**NON PATENT LITERATURE DOCUMENTS**

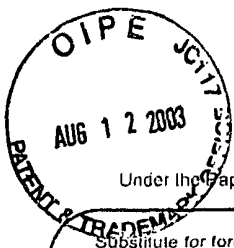
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item<br>(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher,<br>city and/or country where published.                   | 2 |
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First Named Inventor Gorenstein, et al.

Art Unit 1634.00

Examiner Name Zitomer, Stephanie W.

Attorney Docket No. UTMB:1001

**NON PATENT LITERATURE DOCUMENTS**

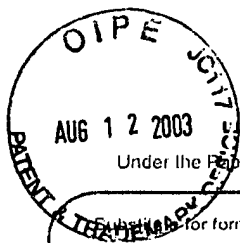
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item<br>(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-Issue number(s), publisher,<br>city and/or country where published. | T <sup>2</sup> |
|-----------------------|--------------------------|---|----------------|
|                       |                          | SHARMA, H.W. ET AL.: "Transcription<br>factor decoy approach to decipher the role<br>of NF-KB in oncogenesis"<br>ANTICANCER RESEARCH,<br>vol. 16, 1996, pages 61-70, XP009003192  |                |
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|                       |                          | KHALED, ANNETTE R. ET AL: "Use of<br>phosphorothioate -modified<br>oligodeoxynucleotides to inhibit NF-<br>kappa. B expression and lymphocyte<br>function"<br>CLINICAL IMMUNOLOGY AND IMMUNOPATHOLOGY<br>(1998), 86(2), 170-179,<br>XP009003515                       |                |

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**NON PATENT LITERATURE DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No.† | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item<br>(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher,<br>city and/or country where published.  | T <sup>2</sup> |
|-----------------------|--------------|--|----------------|
|                       |              | STEC, W.J. ET AL.: "Deoxyribonucleoside<br>3'-O-(2-thio- and<br>2-oxo-"spiro"-4,4-pentamethylene-1,3,2-oxa<br>thiaphospholane)s"<br>J. AM.CHEM. SOC.,<br>vol. 120, 1998, pages 7156-7167,<br>XP002239290   |                |
|                       |              | UHLMANN E ET AL: "STUDIES ON THE<br>MECHANISM OF STABILIZATION OF PARTIALLY<br>PHOSPHOROTHIOATED OLIGONUCLEOTIDES AGAINST<br>NUCLEOLYTIC DEGRADATION"<br>ANTISENSE & NUCLEIC ACID DRUG DEVELOPMENT,<br>MARY ANN LIEBERT, INC., NEW YORK, US,<br>vol. 7, no. 4, August 1997 (1997-08),<br>pages 345-350, XP001117604<br>ISSN: 1087-2906 |                |
|                       |              | NAKAMAYE, KAY L. ET AL: "Direct<br>sequencing of polymerase chain reaction<br>amplified DNA fragments through the<br>incorporation of deoxynucleoside.alpha.-<br>thiotriphosphates"<br>NUCLEIC ACIDS RESEARCH (1988), 16(21),<br>9947-59,<br>1988, XP001097564   |                |

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